

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Dennis Allen, et. al.,
Plaintiffs

vs

Leonard Kristal, et. al.,
Defendants

Case No. C-1-01-159
(Weber, J.)
(Hogan, M.J.)

ORDER

This matter is before the Court on Plaintiffs' Motion for Order (Doc. 95). Plaintiffs request that the Court issue an Order finding that Plaintiffs' Cross-Motion for Summary Judgment against Defendant Crary be deemed filed on November 10, 2003.

On November 10, 2003, Plaintiffs filed their combined response to Defendant Crary's Motion for Summary Judgment and Cross-Motion for Summary Judgment against Defendant Crary. (Doc. 72). However, under the Court's Electronic Case Filing System, parties are no longer permitted to file combined pleadings. The Clerk then amended the docket entry to reflect only Plaintiffs' Response to Defendant Crary's Motion for Summary Judgment. Thereafter, the docket was revised to show the filing date for Plaintiffs' Cross-Motion for Summary Judgment against Defendant Crary as November 20, 2003. (Doc. 94). Plaintiffs object to the filing date of their Cross-Motion and ask the Court to issue an Order deeming the filing date of their motion to be November 10, 2003, the date originally submitted for filing.

For good cause shown, Plaintiffs' Motion for Order (Doc. 95) is GRANTED. Plaintiffs' Cross-Motion for Summary Judgment Against Defendant Crary (Doc. 94) shall be deemed to be filed as of November 10, 2003. Because, Defendant was served, via ordinary US mail, with a copy of Plaintiffs' Cross-Motion on November

10, 2003, Defendant Crary's Response to Plaintiffs' Cross-Motion should be due on December 4, 2003.

SO ORDERED.

Date: 11/25/03

s/Timothy S. Hogan
Timothy S. Hogan
United States Magistrate Judge